

BOARD OF VARIANCE
To be held virtually
Wednesday, October 9, 2024 at 6:00 pm via MS Teams

In light of the Saanich Communicable Disease Plan, this meeting will be held virtually. A link to join the meeting can be found on the Agendas and Minutes page at www.saanich.ca/bov. Participants will be given the opportunity to speak to each item.

Enquiries/comments may be submitted by email to BOV@saanich.ca and must be received no later than 12:00 pm on the day of the meeting.

	Adoption of Minutes	Minutes of the Board of Variance meeting of September 11, 2024
1	744 Cordova Bay Road Lot 2, Section 42, Lake District, Plan 19203	Fence Relaxation of the maximum fence height from 1.9m (6.2ft) to 2.07m (6.8ft)
2	3995 Hopesmore Drive Lot 10, Section 56, Victoria District, Plan 40299	Addition Relaxation of the minimum required rear yard setback from 7.5 m (24.6 ft) to 4.19 m (13.75 ft). Relaxation of the minimum required combined front and rear setbacks from 15.0 m (49.2 ft) to 11.79 m (38.68 ft).
3	1210 Camas Court Lot 1, Section 32, Victoria District, Plan 35187	Addition Relaxation of the minimum rear lot line setback from 7.5 m (24.61 ft) to 4.84 m (15.88 ft) Relaxation of the minimum combined front and rear setbacks from 15.0 m (49.21 ft) to 12.42 m (40.75 ft)
4	3126 Albina Street Lot 17, Block A, Section 12, Victoria District, Plan 860	Garden Suite Relaxation of the minimum rear lot line setback from 1.5 m (4.9 ft) to 1.35 m (4.43 ft). Relaxation of the minimum interior side (south) lot line setback from 1.5 m (4.9 ft) to 1.45 m (4.76 ft).
5	4367 Viewmont Avenue Lot C, Section 8A, Lake District, Plan 46600	Addition Relaxation of minimum rear lot line setback from 7.5 m (24.6 ft) to 6.28 m (20.60 ft). Relaxation of minimum combined front and rear setbacks from 15.0m (49.2 ft) to 14.72 m (48.29 ft).
6	2661 MacDonald Drive East Lot 13, Section 44, Victoria District, Plan 5905	Addition Relaxation of the maximum vertical portion of a dwelling within 5.0 m of a vertical plans extending from the lowest outermost wall from 7.5 m (24.6 ft) to 7.61 m (24.97 ft) for a sloped roof.

7	965 Kentwood Terrace Lot 28, Section 8, Lake District, Plan 20632	Addition Relaxation of the minimum required front setback from 7.5 m (24.61 ft) to 6.60 m (21.65 ft). Relaxation of the minimum required rear setback from 7.5 m (24.61 ft) to 6.75 m (22.15 ft).
8	5031 Cordova Bay Road Lot 2, Section 30, Lake District, Plan VIP4101	Seawall Relaxation of the maximum height for a structure within 7.5m of the natural boundary of the ocean from 0.6m (1.97ft) to 3.87m (12.7ft).
ADJOURNMENT		

MINUTES
BOARD OF VARIANCE

Held electronically via MS Teams
September 11, 2024 at 6:00 p.m.

- Members: J. Uliana (Chair), M. Cole, A. Gill and K. Zirul
- Staff: A. Whyte and C. Yancoff, Senior Planning Technicians; D. Arcangel, Planning Technician; Andrew Sykes, Planning Technician; and M. MacDonald, Senior Committee Clerk
- Regrets: C. Schlenker
- Minutes: **MOVED by K. Zirul and Seconded by M. Cole: "That the Minutes of the Board of Variance meeting held August 14, 2024, be adopted as circulated."**

CARRIED

Georgia Park Terrace Addition
BOV #01086

Applicant: Elizabeth Dupuy
Property: 4961 Georgia Park Terrace
Variance: Relaxation of the minimum required rear yard setback from 12.0 m (39.4 ft) to 7.36 m (24.15 ft)

The Notice of Meeting was read, one letter of support and the applicant's letter were received.

- Applicants: E. Dupuy, owner/applicant, was present in support of the application, the following was noted:
- The current deck encroaches into the setbacks, this was existing when the home was purchased in March 2021.
 - Neither the realtor nor home inspector raised this as an issue prior to purchase. There is an outdoor kitchen area within the encroachment.
 - The outdoor space is used often and enjoyed by all, no issues have been raised by neighbours. As it is existing, it will not affect the environment.
 - The issue of the deck encroaching in the setback was noticed when applying for a building permit for unrelated renovations inside the house.

Public input: Nil

- Discussions: The applicant stated the following in response to questions from members of the Board:
- The previous owners left plans in the home which included the deck, kitchen area and an outdoor garden which was not built. These were dated approximately fifteen years ago.
 - No changes are proposed to the deck, the only request is to have the encroachment brought into compliance.
 - If the variance is approved, the outdoor kitchen area will be allowed.
 - If the variance is denied, a substantial portion of the deck will need to be removed.

The planning technician stated the following:

- The deck has been in place for approximately fifteen years.

The following was noted during Board discussion:

- Correspondence received from a neighbour was in favor, there were also signatures in support included with the application.
- This would legalize what has been in place for a significant time.
- It would be unfair and a hardship for the new owners to have to remove a structure they thought was allowed when they purchased the home.

MOTION: **MOVED by A. Gill and Seconded by K. Zirul: “That the following request to vary from the requirements of Zoning Bylaw 2003, Section 295.3 (a) (ii) further to the construction of an addition on Lot 1, Section 29, Lake District, Plan 15158 (4961 Georgia Park Terrace) be APPROVED:**

- **Relaxation of the minimum required rear yard setback from 12.0 m (39.4 ft) to 7.36 m (24.15 ft).**

And further that if construction in accordance with the plans submitted to the Board in the application is not substantially started within two years from the date of this Order, the variances so permitted by this Order will expire.”

CARRIED

<p>Hopesmore Drive Addition BOV #01089</p>	<p>Applicant: Troy Nelson (Northern Tropic Homes) Property: 3995 Hopesmore Drive Variance: Relaxation of the minimum required rear yard setback from 7.5 m (24.6 ft) to 4.19 m (13.75 ft). Relaxation of the minimum required combined front and rear setbacks from 15.0 m (49.2 ft) to 11.79 m (38.68 ft).</p>
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The Notice of Meeting was read and the applicant’s letter received.

Applicants: The applicant was not present.

Public input: Nil

Discussions: The following was noted during Board discussion:

- It is not favorable to make a decision without giving the applicant the opportunity to present information and answer questions.

MOTION: **MOVED by K. Zirul and Seconded by A. Gill: “That the Board of Variance Application for Lot 10, Section 56, Victoria District, Plan 40299 (3995 Hopesmore Drive) be POSTPONED to a future meeting to allow the applicant to attend.”**

CARRIED

Adjournment On a motion from A. Gill, the meeting was adjourned at 6:23 p.m.

J. Uliana, Chair

I hereby certify that these Minutes are a true
and accurate recording of the proceedings.

Recording Secretary